IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

NASEER M. ABDULSALAM,

        Petitioner,

        v.

ALEJANDRO MAJORKAS *et al.*,

        Respondents.

Case No. 3:23-cv-01137-SB

ORDER FOR REMAND

As reflected in the parties' joint motion and stipulation to dismiss and remand (ECF No. 5), IT IS HEREBY STIPULATED that:

    1.   The Court shall dismiss this matter without prejudice and remand this case to the United States Citizenship and Immigration Services ("USCIS" or "the agency"), directing the agency to take any and all necessary actions, and to administer the oath of allegiance to Petitioner within 14 days of the remand order. Based on the information now available to it, USCIS sees no basis that precludes Petitioner's naturalization. However, Petitioner acknowledges his burden to establish and maintain eligibility for naturalization up to the time he has taken the oath of allegiance.

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2.   If USCIS does not administer the oath of allegiance within the time frame

set forth in paragraph 1 above, Respondents will not oppose any request

by Petitioner to this Court to vacate the remand order and thereby re-assert

jurisdiction over Petitioner's action pursuant to 8 U.S.C. § 1447(b).

3.   Petitioner has asserted a claim to attorney's fees and costs under the Equal

Access to Justice Act (EAJA), 28 U.S.C. § 2412. The parties hereby agree

that both parties shall bear their own attorney's fees and costs in this

action.

The Court GRANTS the parties' joint motion and stipulation to dismiss and remand

(ECF No. 5), and directs the agency to take the actions described herein on remand.

IT IS SO ORDERED.

DATED this 22nd day of September, 2023.

HON. STACIE F. BECKERMAN
United States Magistrate Judge

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